

DAVIS, COWELL & BOWE, LLP

Richard McCracken, SBN 65058

rmccracken@dcbsf.com

Paul L. More, SBN 228589

pmore@dcbsf.com

595 Market Street, Suite 800

San Francisco, CA 94105

Tel: (415) 597-7200

Fax: (415) 597-7201

Attorneys for UNITE F

Attorneys for UNITE HERE LOCAL 19

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(San Jose Division)**

IAN MCCRAY, an individual, on behalf of himself, and on behalf of all other persons similarly situated,

Plaintiffs

V.

UNITE HERE LOCAL 19,

Defendants

) Case No: 5:16-cv-01233 – BLF
)
)
)
) STIPULATION AND [proposed] ORDER
) CONTINUING HEARING ON
) DEFENDANT UNITE HERE LOCAL
) 19's MOTION TO DISMISS
)
) [Civil L.R. 6-1(a), Civil L.R. 7-7(b)(1)]
)
)
Date: Thursday, August 18, 2016
)
Time: 9:00 a.m.
)
Court: Courtroom 3–5th Floor
)
Assigned to: Hon. Beth Labson Freeman
)
Complaint Filed: March 11, 2016
)

Plaintiff Ian McCray and Defendant UNITE HERE Local 19 hereby stipulate and request that the Court continue the hearing on Defendant Local 19's Motion to Dismiss (Doc. 7) from Thursday, August 11, 2016 to Thursday, August 18, 2016 at 9:00 a.m. in Courtroom 3, 5th Floor, 80 South 1st Street, San Jose, California.

Defendant Local 19 filed its Motion to Dismiss on April 8, 2016 (Doc. 7). The case was reassigned to Judge Freeman on April 11, 2016 (Doc. 11), and after reassignment, the Court reset the hearing date on Defendant Local 19's Motion to Dismiss to August 11, 2016 (Doc. 15). On April 26, 2016, Plaintiff McCray filed an opposition to the Motion to Dismiss (Doc. 16); Local 19 filed a reply to the opposition on May 3, 2016 (Doc. 19).

The parties have stipulated to continue the hearing date from Thursday, August 11, 2016 to Thursday, August 18, 2016 because the undersigned counsel for Defendant Local 19 has a pre-planned family vacation scheduled for August 1 to August 14, 2016. The parties have not previously stipulated to continue the hearing date on this motion.

The parties understand that all other dates set in the scheduling order for this case will remain as previously scheduled and are not affected by this stipulation.

Dated: May 24, 2016
Respectfully Submitted,
DAVIS, COWELL & BOWE, LLP

I attest that concurrence in the filing of this document has been given by each of the other signatories indicated by a /s/.

By: /s/ Paul L. More
Paul L. More

Attorneys for Defendant
UNITE HERE LOCAL 19

Dated: May 24, 2016
Respectfully submitted,

Respectfully submitted,

PAGANO & KASS, APC

By: /s/ James L. Pagano
James L. Pagano

Attorneys for Plaintiff IAN McCRAY

1 **[proposed] ORDER**

2 PURSUANT TO STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED that
3 the hearing on Defendant UNITE HERE Local 19's Motion to Dismiss (Doc. 7) is continued
4 from Thursday, August 11, 2016 to Thursday, August 18, 2016 at 9:00 a.m. in Courtroom 3,
5 5th Floor, 80 South 1st Street, San Jose, California.

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9 Dated: May 25, 2016

10 _____
11 Hon. Beth Labson Freeman
12 UNITED STATES DISTRICT JUDGE
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